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**Introduced by Senator Hollingsworth**

January 20, 2004

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An act to amend Sections 37700, 37701, 37702, 37703, 37704, 37706, and 37707 of the Education Code, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1138, as introduced, Hollingsworth. School districts: four-day school week.

Existing law authorizes the Pacific Unified School District, the Leggett Valley Unified School District, and the Reeds Creek Elementary School District, to operate one or more schools in their districts on a 4-day school week, so long as the school district complies with specified requirements, including, instructional time requirements.

This bill would extend that authorization and those attending requirements to all school districts.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 37700 of the Education Code is  
2 amended to read:  
3 37700. (a) Notwithstanding any other law, ~~the Pacific~~  
4 ~~Unified School District, the Leggett Valley Unified School~~  
5 ~~District, and the Reeds Creek Elementary School District~~ *a school*  
6 *district* may operate one or more schools ~~in their respective~~  
7 ~~districts~~ on a four-day school week, if the *school* district complies

1 with the instructional time requirements specified in Section  
2 37701 and the other requirements of this chapter.

3 (b) If a school district operates one or more schools on a  
4 four-day week pursuant to this section and the program for the  
5 school year provides less than the 180 days of instruction required  
6 under Section 46200, the Superintendent of Public Instruction  
7 shall reduce the base revenue limit per unit of average daily  
8 attendance for that fiscal year by the amount the school district  
9 would have received for the increase received pursuant to  
10 subdivision (a) of Section 46200, as adjusted in fiscal years  
11 subsequent to the 1984–85 fiscal year. If a school district operates  
12 one or more schools on a four-day school week pursuant to this  
13 section and the program provides less than the minimum  
14 instructional minutes required under Section 46201, the  
15 Superintendent of Public Instruction shall reduce the base revenue  
16 limit per unit of average daily attendance for that fiscal year in  
17 which the reduction occurs by the amount the school district would  
18 have received for the increase in the 1987–88 fiscal year base  
19 revenue limit per unit of average daily attendance pursuant to  
20 paragraph (6) of subdivision (b) of Section 42238, as adjusted in  
21 the 1987–88 fiscal year and fiscal years thereafter.

22 (c) A school district with an exclusive bargaining  
23 representative may operate a school on a four-day school week  
24 pursuant to this section only if the *school* district and the  
25 representative of each bargaining unit of *the school* district  
26 employees ~~mutually~~ agree to that operation in a memorandum of  
27 understanding.

28 SEC. 2. Section 37701 of the Education Code is amended to  
29 read:

30 37701. The *school* district shall provide on an annual basis,  
31 while operating ~~under the experimental program~~ *a school on a*  
32 *four-day school week*, not less than 560 hours of instructional time  
33 for kindergarten, not less than 700 hours of instructional time for  
34 grades 1, 2, and 3, and not less than 845 hours of instructional time  
35 for grades 4 to 12, inclusive. The *school* district may exceed these  
36 minimum instructional times except that no pupil in a kindergarten  
37 shall be kept in school more than four hours in any day, exclusive  
38 of recesses. ~~In no event shall the~~ *The school day may not exceed*  
39 *eight hours, nor shall may the school week be less than four days.*  
40 ~~The Legislature recognizes that these minimum amounts of~~

1 ~~instructional times for grades 1 to 12, inclusive, exceed the weekly~~  
2 ~~minimum instructional time required by state law during the~~  
3 ~~1981-82 school year.~~

4 SEC. 3. Section 37702 of the Education Code is amended to  
5 read:

6 37702. ~~Prior to conducting the experimental program~~  
7 *operating a school on a four-day school week*, the *school* district  
8 shall secure the approval of the governing board of the district and  
9 of any collective bargaining agents representing employees of the  
10 *school* district.

11 SEC. 4. Section 37703 of the Education Code is amended to  
12 read:

13 37703. ~~Any~~ A school site ~~councils~~ *council* in the *school*  
14 district shall be involved in the planning and evaluation of ~~the~~  
15 ~~experimental program~~ *a four-day school week*.

16 SEC. 5. Section 37704 of the Education Code is amended to  
17 read:

18 37704. The *school* district shall consider the impact of the  
19 longer schoolday on primary grade pupils, and the impact of the  
20 four-day school week on working parents who may be required to  
21 find child care services for their school age children due to the  
22 shortened school week.

23 SEC. 6. Section 37706 of the Education Code is amended to  
24 read:

25 37706. If ~~the~~ *a school* district elects to ~~conduct an~~  
26 ~~experimental program~~ *operate a school on a four-day school week*  
27 as authorized by this chapter, the *school* district shall be entitled  
28 to receive the same support, but not more support, from the State  
29 School Fund due to the average daily attendance at the schools  
30 within the *school* district that it would have received if the *school*  
31 district had been operating under the provisions of law relating to  
32 the 175-day school year.

33 SEC. 7. Section 37707 of the Education Code is amended to  
34 read:

35 37707. If the *school* district elects to ~~conduct an experimental~~  
36 ~~program~~ *operate a school on a four-day school week* pursuant to  
37 this chapter, the reduced number of schooldays in the *school*  
38 district shall not affect ~~any~~ *the* rights of certificated or classified  
39 employees of the *school* district with regard to classification,

- 1 tenure, or notice, and shall not otherwise affect the contract rights
- 2 of the employees.

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